

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD AUGUST 9, 1982

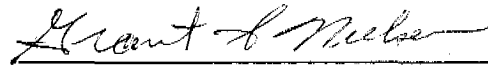
Page 6

Discount has been approved by the court, but is not yet signed by the parties involved.

Mr. Peterson mentioned that a permit for a well 500 feet deep had been applied for in the vicinity and wanted to know if he should continue to protest all well permit applications filed in the Delta area. He recommended that the City continue to protest all applications. He was directed to continue the present policy.

City Administrator Bishop gave an update on cable TV. He said that Acton Cable TV has applied for clearance to use UP&L power poles. In answer to a question at an earlier Council meeting, Mr. Bishop said that research has shown that Air Fone is authorized by the FCC to conduct tests.

There being no further business, Councilman Dafoe MOVED and Councilman Bird SECONDED the motion to adjourn. At 11:35 p.m. the Mayor adjourned the meeting until August 16, 1982 at 8:00 p.m.



Mayor Grant S Nielson

City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD August 16, 1982

PRESENT:

Grant S Nielson
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

OTHERS PRESENT:

Vance Bishop
Warren Peterson
Dorothy Jeffery
John Quick
Neil Forster
Pat Davies
Craig Whitehead

City Administrator
City Attorney
City Recorder
City Engineer
Public Works Superintendent
City Clerk
Administrative Intern

AAG923

Page 2

John Peterson
Roger Stowell
Steve Allred
Jim Fletcher

Todd Wirthlin
LaVar Cox
Guy Boulton

Mayor Nielson called the meeting to order at 8:02 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

The Minutes of a regular City Council meeting held August 9, 1982 were presented to the Council. Councilman Max Bennett MOVED to accept the minutes as corrected. Council Member Ruth Hansen SECONDED the motion which carried unanimously.

ACCOUNTS PAYABLE

The accounts payable were presented to the Council members by Dorothy Jeffery, City Recorder. After the review, Councilman Don Bird MOVED to approve the accounts payable with the additions and corrections discussed. Councilman Max Bennett SECONDED the motion which carried unanimously.

DANA LARSON ROUBAL AND ASSOCIATES

The City Administrator, Vance Bishop, mentioned that the Council had requested a conference with the architects on the proposed new City building because of misunderstandings concerning the billing from Dana Larson Roubal and Associates. Several members of the Council had received the impression in previous meetings with Dana Larson Roubal and Associates that the firm would be helping the City obtain financing and that a bill for preliminary work would not be forthcoming until construction starts.

Mr. John Peterson, representative from Dana Larson Roubal and Associates, explained the firm's fee schedule and the contract with Delta City and stated that his company would help the City seek financing. He suggested a hold on the project until commitments could be obtained from potential project participants. He stated that his company would be very understanding and that there would be no interest added to the bill. He further stated that: "You've got a fiscal agent working with you now."

Mr. Bishop gave a report on the commitments from the other entities which have expressed an interest in leasing space in the building and asked Mr.

Page 3

John Peterson how the design would be handled in the event that the other entities decided not to lease space from Delta City. Mr. Peterson stated that the architects have the basic building needs of the City outlined and that a change in the design would not be too difficult. He said that it would mean designing a new building, but might not cost anything more to design. He suggested further that the City should set some goals and deadlines and that his firm is willing to hold until the period is up when it is expected that IPA will respond to a request from the City for help with funding the building project. It was agreed that as soon as the City finds financing, the State, County, Chamber of Commerce and others will have to then make a decision one whether to participate so the City can move on the project. John Peterson said that although construction costs are down right now, waiting could make the building more costly than first estimated. Mr. Roger Stowell stated that it could be 2 weeks before an answer on funding would be received from IPA.

Mr. Todd Wirthlin, a representative for both Dana Larson Roubal and Associates and Buell, Winter and Mousel, the City airport engineers, reported to the Council that preapplication to FAA had been made and that he had a promise from the State Aeronautics Board of \$100,000.00, if those funds could be matched. Mr. Vance Bishop stated that comments on the airport master plan had been received from IPA and that he would make those comments available to Mr. Wirthlin.

IMPACT ALLEVIATION AGREEMENT #25

City Administrator Vance Bishop reviewed the agreement briefly with City Council members. He said that the major change since their last review was an agreement on certain audit procedures wherein the right is given to IPA to review or audit those portions of the books which relate to those areas where financial assistance has been given by IPA. He said that this gives the City flexibility yet IPA officials are assured that the impact monies are spent properly. There was discussion on the right of IPA to audit consultants books only as they relate to contracts with the City which are funded with IPA impact monies, the time allotted to make expenditure reports, money withdrawn at the end of each quarter and a contingency fund.

Mr. Bishop recommended that the agreement be accepted by the City. Councilman Don Dafoe MOVED to adopt Resolution #82-78 entitled:

A RESOLUTION APPROVING IMPACT ALLEVIATION AGREEMENT NO. 25 BETWEEN INTERMOUNTAIN POWER AGENCY AND THE CITY OF DELTA, UTAH, WHICH AGREEMENT PROVIDES FOR FINANCING THAT PORTION OF THE OPERATION AND MAINTENANCE BUDGET FOR THE CITY OF DELTA FOR THE FISCAL YEAR COMMENCING JULY 1, 1982 FOR WHICH IPA IS AUTHORIZED TO ASSUME FINANCIAL RESPONSIBILITY UNDER SECTION 11-13-28, UTAH CODE ANNOTATED (1953), AS AMENDED.

Councilman Morrison SECONDED the motion and the vote was as follows:

AAG923

Page 4

Max Bennett	Yes
Don Bird	Yes
Don Dafoe	Yes
Ruth Hansen	Yes
Willis Morrison	Yes

Mayor Grant Nielson signed Impact Alleviation Agreement #25 and Resolution #82-78. City Recorder Dorothy Jeffery attested the Mayor's signature.

WHITE SAGE PRELIMINARY PLAT

Mr. LaVar Cox presented preliminary maps on the White Sage development which the Council Members had reviewed previously. City Engineer John Quick stated that he had reviewed the plats during the annexation procedures and said that he thought the plats conformed to the standards. He expressed concern that the \$50.00 plat check fee would not be adequate for projects of this size. Mr. Cox stated that he felt these fees were already funded through the operation and maintenance monies budgeted to the City. He said that IPA wants to follow Delta City codes and standards and will probably provide water and sewer inspections and they plan to have an inspection team on site on the housing, also. There was further discussion on problems with canals, the improvement of the road which goes by the Bill Garrett property, access roads from the present City, obtaining rights-of-way, and the fence on Mitch Myers property.

In response to a question, Attorney Peterson and Public Works Superintendent Forster stated that they find that the non-linear streets in the White Sage subdivision will comply with the Delta City subdivision design standards. Mr. Cox mentioned that moving of earth and leveling would be taking place on the entire 293.7 acres at one time. He told the Council that IPA needs construction easements on City roads through the development. Councilman Max Bennett MOVED to approve the preliminary plat on the White Sage development. Councilman Dafoe SECONDED the motion. During discussion on the motion, Warren Peterson reminded the Council members that the subdivision ordinance says that approval of the preliminary plat would authorize IPA to begin construction of off-site improvements once the improvement drawings and specifications are approved by John Quick, the City Engineer. He recommended that the Council members pay special attention to the location of such improvements on the preliminary plat so that the City would be satisfied with the location once the improvements are constructed. After further discussion, Mayor Nielson called the motion to a vote and it passed unanimously.

PROPOSED LANGUAGE CHANGE TO THE CB ZONE

The following items were discussed in relation to the proposed language amendment to the zoning ordinance to allow limited sales of used cars in the Central Business (CB) zone:

1. The suitability of gas stations to be used for the selling

Page 5

of cars as a secondary business.

2. Limiting the number of vehicles according to the amount of space available.

Councilman Bird MOVED to schedule a public hearing on September 13, 1982 to receive public comment on an ordinance amending the language of the Delta City ordinance #81-26 to allow for the sale of motor vehicles as a permitted use in the central business zone. Councilman Morrison SECONDED the motion which carried in the affirmative.

CAPTAIN BRIGHT: EVANSTON WYOMING POLICE DEPARTMENT

Mayor Nielson introduced Captain Forrest Bright to all present. Captain Bright outlined some of the problems encountered in Evanston which might relate to Delta if Delta City experiences the predicted population growth. Captain Bright recommended to the Council that the best safeguard for the City is to be prepared with an adequate police force. He said that it is difficult to keep good officers under extremely adverse conditions unless salaries, benefits, officer safety and other aspects of the public safety programs are sufficient. There was a lengthy question and answer period after which the Mayor and Council Members thanked the Captain for sharing his experience with them. Captain Bright said that some of his officers are qualified instructors and offered the services of those officers to the City.

OTHER BUSINESS

The City Administrator reminded the Council that the acceptance of applications for the position of Police Chief would soon be closed. Mr. Bishop asked the members how much they wanted to be involved with choosing a new officer and recommended that, considering the importance of the position to the City, they should be involved. Councilman Bennett said that as Councilman in charge of that department, he wished to be actively involved in all phases of choosing a new Chief and the other members indicated that they would like to be included in the interviews. It was agreed that the operation should be conducted the same as when the City Administrator was hired. A meeting was scheduled for September 2 to conduct interviews with applicants.

City Attorney Warren Peterson mentioned to the Council that he had received complaints from a local dentist that the water in his place of business had been shut off without notice. Mr. Bishop explained that the contractor on Phase I of the water improvement project was responsible, but that he would see that this kind of problem would be taken care of in the future.

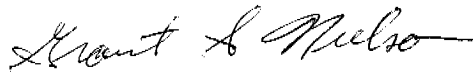
There was a review of a bill submitted by Rex Day on the cost of improvements in the public park area in Mr. Day's mobile home park. It was decided that the sprinkling system should be put out to bid and that the sod should be bought on bid as well.

AAG923

Page 6

City Engineer John Quick said that Phase I of both the water and sewer projects should be finished within the week. The testing of the lines and the fixing of the leaks was almost completed on the sewer project. He stated that on the water project there is one section to be retested. He said that bids on Phase II of the sewer project would be let on Monday and that he hoped to have phase II of the water project in 2 or 3 weeks. It was mentioned that there is no electrical power as yet at the new sewer pump station.

There being no further business, Councilman Max Bennett MOVED to adjourn the meeting. Councilman Bird SECONDED the motion. All agreed and the Mayor adjourned the meeting at 11:40 p.m.



 Mayor Grant S Nielson

 City Recorder, Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD AUGUST 23, 1982

PRESENT:

Grant S Nielson
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member
Council Member

ABSENT:

Max Bennett

Council Member

OTHERS PRESENT:

Vance Bishop
Warren Peterson
Dorothy Jeffery
John Quick
Pat Davies
Craig Whitehead
Jim Fletcher
Quin Shepherd

City Administrator
City Attorney
City Recorder
City Engineer
City Clerk
Administrative Intern
Kay Traveller

Mayor Nielson called the meeting to order at 8:04 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at